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-and-

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**Attorneys for Plaintiff**

[additional counsel listed on signature page]

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

ANN DAUGHERTY, on behalf of herself  
and all others similarly situated,

Case No. C 06 7725 PJH

Plaintiff,

**STIPULATION FOR DISMISSAL  
AND ORDER**

v.

OPPENHEIMER & CO., INC., *et al.*

Defendants.

All parties, by and through their attorneys of record, pursuant to Fed. R. Civ. P. 41(a)(1)  
stipulate as follows:

WHEREAS, on December 18, 2006, Plaintiff Ann Daugherty ("Plaintiff") filed a

1 Class/Collective Action Complaint for Nonpayment of Compensation (the "Complaint")  
2 against Oppenheimer & Co., Inc. ("Oppenheimer"), Oppenheimer Asset Management Co., Inc.,  
3 Fahnestock & Co., Inc., and Does 1 through 10, inclusive, (collectively "Defendants") in the  
4 United States District Court for the Northern District of California;

5 WHEREAS, on June 18, 2007, the Court, pursuant to a stipulation entered by the  
6 parties, dismissed certain defendants from the action with each side to bear its own costs;

7 WHEREAS, on July 5, 2007, the Court entered an order staying Plaintiff's state law  
8 claims pending resolution of *Handler v. Oppenheimer*, Los Angeles Superior Court, Case No.  
9 BC343542 ("State Court Action");

10 WHEREAS, Plaintiff is an absent class member of the proposed class in the State Court  
11 Action; and

12 WHEREAS, parties have conferred and believe that dismissal of the action is  
13 appropriate;

14  
15 IT IS NOW HEREBY STIPULATED AND AGREED that:

16 This action is dismissed without prejudice, each side to bear its own costs.

17 Dated: September 12, 2007

18  
19 SCHIFFRIN BARROWAY  
20 TOPAZ & KESSLER, LLP

AKIN GUMP STAUSS  
HAUER & FELD LLP

21 By: /s/  
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9/13/07

